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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

V.

SUPERSEDING INDICTMENT

4:23-CR-6019-SAB

ABEL RIVERA.

Defendants.

Vio.: 21 U.S.C. § 846
Conspiracy to Distribute
500 Grams or More of
Methamphetamine and 400
Grams or More of Fentanyl
(Count 1)

21 U.S.C. § 841(a)(1),
(b)(1)(A)(viii)
Possession with Intent to
Distribute 500 Grams or More
of Methamphetamine
(Count 2, 4, 13)

21 U.S.C. § 841(a)(1),
(b)(1)(A)(vi)
Possession with Intent to
Distribute 400 Grams or More
of Fentanyl
(Count 3, 5, 14)

21 U.S.C. § 841(a)(1),

1 (b)(1)(A)(viii)
2 Possession with Intent to
3 Distribute 50 Grams or More
4 of Actual (Pure)
5 Methamphetamine
6 (Count 6, 8, 10)

7 21 U.S.C. § 841(a)(1),
8 (b)(1)(C)
9 Possession with Intent to
10 Distribute Fentanyl
11 (Count 7, 12)

12 21 U.S.C. § 841(a)(1),
13 (b)(1)(B)(vi)
14 Possession with Intent to
15 Distribute 40 Grams or More
16 of Fentanyl
17 (Count 9, 11)

18 21 U.S.C. § 853
19 Forfeiture Allegations

20 The Grand Jury charges:

21 COUNT 1

22 Beginning on a date unknown, but by on or about January 2020, and
23 continuing until on or about June 2023, in the Eastern District of Washington and
24 elsewhere, the Defendants [REDACTED]

25 [REDACTED]

26 ABEL RIVERA, [REDACTED]

27 [REDACTED] [REDACTED] and other individuals; both
28 known and unknown to the Grand Jury, did knowingly and intentionally combine,

SUPERSEDING INDICTMENT – 2

1 conspire, confederate, and agree with each other to commit the following offense:
2 distribution of 500 grams or more of a mixture of substance containing
3 methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. §
4 841(a)(1), (b)(1)(A)(viii) and distribution of 400 grams or more of a mixture or
5 substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-
6 piperidinyl] propanamide (a/k/a fentanyl), a Schedule II controlled substance, in
7 violation of 21 U.S.C. § 841(a)(1), (b)(1)(A)(vi).
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9

10
11 COUNT 2
12

13 On or about June 30, 2022, in the Eastern District of Washington, the
14 Defendant, [REDACTED] did knowingly possess with intent to
15 distribute 500 grams or more of a mixture or substance containing a detectable
16 amount of methamphetamine, a Schedule II controlled substance, in violation of 21
17 U.S.C. § 841(a)(1), (b)(1)(A)(viii).
18
19

20 COUNT 3
21

22 On or about June 30, 2022, in the Eastern District of Washington, the
23 Defendant, [REDACTED] did knowingly possess with intent to
24 distribute 400 grams or more of a mixture or substance containing a detectable
25 amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (a/k/a
26 fentanyl), a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1),
27 (b)(1)(A)(vi).
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1 COUNT 4
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4 Defendant, [REDACTED] did knowingly possess with intent to
5 distribute 500 grams or more of a mixture or substance containing a detectable
6 amount of methamphetamine, a Schedule II controlled substance, in violation of 21
7 U.S.C. § 841(a)(1), (b)(1)(A)(viii).
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10 COUNT 5
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13 On or about April 5, 2023, in the Eastern District of Washington, the
14 Defendant, [REDACTED] did knowingly possess with intent to
15 distribute 400 grams or more of a mixture or substance containing a detectible
16 amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (a/k/a
17 fentanyl), a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1),
18 (b)(1)(A)(vi).
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20

21 COUNT 6
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23

24 On or about April 18, 2022, in the Eastern District of Washington, the
25 Defendant, [REDACTED] did knowingly possess with intent to
26 distribute 50 grams or more of actual (pure) methamphetamine, a Schedule II
27 controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(A)(viii).
28

1 COUNT 7
2

3 On or about April 18, 2022, in the Eastern District of Washington, the
4 Defendant, [REDACTED] did knowingly possess with intent to
5 distribute a mixture or substance containing a detectible amount of N-phenyl-N-[1-
6 (2-phenylethyl)-4-piperidinyl] propanamide (a/k/a fentanyl), a Schedule II
7 controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(C).
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9 COUNT 8
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11 On or about June 21, 2022, in the Eastern District of Washington, the
12 Defendant, [REDACTED] did knowingly possess with intent to
13 distribute 50 grams or more of actual (pure) methamphetamine, a Schedule II
14 controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(A)(viii).
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16 COUNT 9
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18 On or about June 21, 2022, in the Eastern District of Washington, the
19 Defendant, [REDACTED] did knowingly possess with intent to
20 distribute 40 grams or more of a mixture or substance containing a detectible
21 amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (a/k/a
22 fentanyl), a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1),
23 (b)(1)(B)(vi).
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1 COUNT 10
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3 On or about June 30, 2022, in the Eastern District of Washington, the
4 Defendant, [REDACTED] did knowingly possess with intent
5 to distribute 50 grams or more of actual (pure) methamphetamine, a Schedule II
6 controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(A)(viii).
7

8 COUNT 11
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10 On or about June 30, 2022, in the Eastern District of Washington, the
11 Defendant, [REDACTED] did knowingly possess with intent
12 to distribute 40 grams or more of a mixture or substance containing a detectible
13 amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (a/k/a
14 fentanyl), a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1),
15 (b)(1)(B)(vi).
16

17 COUNT 12
18

19 On or about April 5, 2023, in the Eastern District of Washington, the
20 Defendant, [REDACTED] did knowingly possess with intent to
21 distribute a mixture or substance containing a detectible amount of N-phenyl-N-[1-
22 (2-phenylethyl)-4-piperidinyl] propanamide (a/k/a fentanyl), a Schedule II
23 controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(C).
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1 COUNT 13
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3 On or about June 8, 2023, in the Eastern District of Washington, the
4 Defendant, [REDACTED] did knowingly possess with intent
5 to distribute 500 grams or more of a mixture or substance containing a detectable
6 amount of methamphetamine, a Schedule II controlled substance, in violation of 21
7 U.S.C. § 841(a)(1), (b)(1)(A)(viii).
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9 COUNT 14
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11 On or about June 8, 2023, in the Eastern District of Washington, the
12 Defendant, [REDACTED] did knowingly possess with intent
13 to distribute 400 grams or more of a mixture or substance containing a detectable
14 amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (a/k/a
15 fentanyl), a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1),
16 (b)(1)(A)(vi).
17

18 **SERIOUS DRUG FELONY**
19

20 Before [REDACTED] committed the offense as charged
21 in Count 1, [REDACTED] had a final conviction for a serious
22 drug felony, as defined in 21 U.S.C. § 802(57), to wit: Delivery of a Controlled
23 Substance, in violation of Revised Code of Washington 69.50.401(2)(b), in the
24 Superior Court of Washington, County of Benton, case number 09-1-00463-7, for
25 which he served a term of imprisonment of more than 12 months and was released
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from imprisonment within 15 years of the commencement of the instant offense.

SERIOUS DRUG FELONY

Before [REDACTED] committed the offenses as charged in Counts 1, 6, 7, 8, and 9, [REDACTED] had a final conviction for a serious drug felony, as defined in 21 U.S.C. § 802(57), to wit: Possession of a Controlled Substance with Intent to Deliver-Fentanyl, in violation of Revised Code of Washington 69.50.401(1)&(2)(a), in the Superior Court of Washington, County of Benton, case numbers 19-1-00656-03 and 19-1-01113-03; for which he served a term of imprisonment of more than 12 months and was released from imprisonment within 15 years of the commencement of the instant offense(s).

NOTICE OF CRIMINAL FORFEITURE ALLEGATIONS

The allegations contained in this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures.

Pursuant to 21 U.S.C. § 853, upon conviction of an offense in violation of 21 U.S.C. § 846 and/or 21 U.S.C. § 841, as set forth in this Indictment, Defendants, [REDACTED], [REDACTED], ABEL RIVERA, [REDACTED], [REDACTED], shall forfeit to the United States of America, any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offense and any property

1 used or intended to be used, in any manner or part, to commit or to facilitate the
2 commission of the offense. The property to be forfeited includes, but is not limited to:
3

4 Defendant [REDACTED] (Counts 1, 4 and 5)

5 - \$1,535.00 U.S. currency, seized on or about April 5, 2023

6 Defendant [REDACTED] (Count 1)

7 - a privately made firearm black semi-auto 9mm Luger handgun no serial
8 number and a magazine containing six (6) rounds of ammunition;

9 Defendant ABEL RIVERA (Count 1)

10 - \$1,950.00 U.S. currency, seized on or about April 9, 2022;

11 - \$26,695.00 U.S. currency, seized on or about April 9, 2022;

12 - \$2,000.00 U.S. currency, seized on or about April 5, 2023;

13 - \$1,535.00 U.S. currency seized on or about April 5, 2023;

14 - a Glock 27 .40 Caliber Pistol bearing serial number HEX300;

15 - a Highpoint Model JOP 40 caliber pistol bearing serial number 7232031, with
16 obliterated original serial number

17 Defendant [REDACTED] (Count 1)

18 - \$5,771.00 U.S. currency, seized on or about June 8, 2023

19 If any forfeitable property, as a result of any act or omission of the Defendants:

20 a. cannot be located upon the exercise of due diligence;
21 b. has been transferred or sold to, or deposited with, a third party;
22 c. has been placed beyond the jurisdiction of the court;
23 d. has been substantially diminished in value; or
24 e. has been commingled with other property which cannot be divided
25 without difficulty,

1
2 the United States of America shall be entitled to forfeiture of substitute property
3 pursuant to 21 U.S.C. § 853(p).
4

5 DATED this _____ day of July, 2023.
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8
9 A TRUE BILL
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12 Foreperson
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16 Vanessa R. Waldref
17 United States Attorney
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Rebecca R. Perez
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